

The opinion in support of the decision being
entered today is not binding precedent of the Board.

Paper No. 120 53

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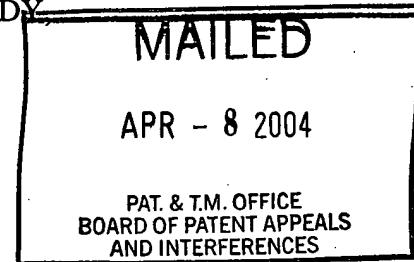
UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

ALFRED POLLAK and ANNE GOODBODY

Junior Party,
(Patent Nos. 5,662,885, 5,780,006
and 5,976,495),

v.



WILLIAM McBRIDE and RICHARD T. DEAN,

Senior Party
(Application 08/253,973).

Patent Interference 104,789 (MPT)

Before: LANE, TIERNEY and NAGUMO, Administrative Patent Judges.

TIERNEY, Administrative Patent Judge.

FINAL JUDGMENT

For the reasons provided in the Decision on Rule 641 and Order to Show Cause (Paper No. 119), it is:

ORDERED that McBride is not entitled to claims 2, 3, 7 and 10 of its U.S. Application 08/253,973 as these claims are unpatentable over Rodwell U.S. Patent No. 5,196,510 and Rodwell WO 91/17173.

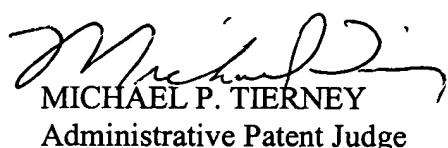
FURTHER ORDERED that Pollak is not entitled to 1) Pollak U.S. Patent No. 5,662,885 claims 1-9 and 14-15; 2) Pollak U.S. Patent No. 5,780,006 claims 1-3, 5-6, 8-11 and 15-18; and 3) Pollak 5,976,495 claims 1-3, 5-6, 8-11 and 14-25.

FURTHER ORDERED that a copy of this decision be placed in the involved McBride U.S. Application No. 08/253,973 and Pollak's involved U.S. Patents 5,662,885, 5,780,006 and 5,976,495.

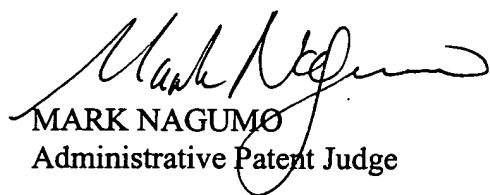
FURTHER ORDERED that if there is a settlement agreement, attention is directed to 35 U.S.C. § 135(c) and 37 CFR § 1.661.



SALLY GARDNER LANE
Administrative Patent Judge



MICHAEL P. TIERNEY
Administrative Patent Judge



MARK NAGUMO
Administrative Patent Judge

BOARD OF PATENT
APPEALS
AND
INTERFERENCES

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